



**US Army Corps
of Engineers®**
New England District

696 Virginia Road
Concord, MA 01742-2751

PUBLIC NOTICE

Date: August 14, 2001

Comment Period Ends: September 14, 2001

File Number: 2001-01830N

In Reply Refer To: Ms. Diane M. Ray

Or by e-mail: diane.m.ray@usace.army.mil

STONINGTON WATER STREETS ASSOCIATES, LLC. 2187 ATLANTIC STREET, 10TH FLOOR, STAMFORD, CONNECTICUT 06902 has requested a Corps of Engineers permit under Section 10 of the Rivers and Harbors Act of 1899 to construct and maintain a small boat docking facility for 36 slips in Stonington Harbor at Stonington, Connecticut as shown on the attached plans and described as follows:

1. Install and maintain 20' x 40' floating dinghy dock assessed from the existing bulkhead by a 3' wide ramp. The dock will be used for transient mooring.
2. Install and maintain a 6' wide "U"-shaped floating dock with lengths of 280', 71' and 280'. There will be eight 4' x 32' finger floats extending from the westernmost floating dock and eight 4' x 28' finger floats extending from the easternmost floating dock. The floats will be held in place by anchor piles. A 3' wide ramp will connect the floating dock to the proposed boardwalk, which will be located above mean high water.

The purpose of the project is to provide safe and efficient docking facilities that support recreational boating activities for Atwood condominium unit owners and the general public. This project will impact .5 acres of Essential Fish Habitat (EFH) for the species managed under the Magnuson – Stevens Fishery Conservation and Management Act and listed on the attached table. Predominately, the habitat within the project area consists of sandy/silty sediments with aquatic vegetation. If they occur within or adjacent to the project footprint, loss or disruption of these habitats may adversely affect the designated EFH for the identified life stages. Impacts may be related to construction, structure preservatives, vessel biofouling controls and discharges (accidental or intentional) and shading as well as general operation of the facility. All the identified impact examples have individually or cumulatively been associated with degradation of EFH. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

This project is located on the USGS MYSTIC quadrangle sheet at UTM coordinates 457940 N and 025670 E.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Ms. Diane M. Ray at (978) 318-8831, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

**SEE NEXT PAGE FOR
DETAILS OF EVALUATION
FACTORS**

**Frank DelGuidice
Acting Chief, Permits & Enforcement Branch
Regulatory Division**

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity in the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties listed in, or eligible for listing in, the National Register of Historic Places, and no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.

Pursuant to the Endangered Species Act, the District Engineer is hereby requesting that the appropriate Federal Agency provide comments regarding the presence of and potential impacts to listed species or its critical habitat.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice.

The following authorizations have been applied for, or have been, or will be obtained:

- ☒ (X) Permit, License or Assent from State.
- ☐ () Permit from Local Wetland Agency or Conservation Commission.
- ☐ () Water Quality Certification in accordance with Section 401 of the Clean Water Act.

The States of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

If you would prefer not to continue receiving public notices, please check here ☐ () and return this portion of the public notice to: U.S. Army Corps of Engineers – New England District, ATTN: Regulatory Branch, 696 Virginia Road, Concord, MA 01742-2751.

NAME:

ADDRESS:

Summary of Essential Fish Habitat (EFH) Designation

10' x 10' Square Coordinates for Stonington Harbor:

Boundary	North	East	South	West
Coordinate	41° 20.0' N	71° 50.0' W	41° 10.0' N	71° 00.0' W
Coordinate	41° 30.0' N	71° 50.0' W	41° 20.0' N	71° 00.0' W

Squares Description (i.e. habitat, landmarks, coastline markers): The waters within grid squares 6 and 15 describe the EFH designations within the Connecticut River estuary affecting the waters within the inner and southern part of Stonington Harbor, as well as Quanauduck Cove, Stonington, Connecticut.

Species	Eggs	Larvae	Juveniles	Adults
Atlantic cod (<i>Gadus morhua</i>)				X
Atlantic Salmon (<i>Salmo salar</i>)			X	X
pollock (<i>Pollachius virens</i>)			X	X
red hake (<i>Urophycis chuss</i>)	X	X	X	X
winter flounder (<i>Pleuronectes americanus</i>)	X	X	X	X
windowpane flounder (<i>Scophthalmus aquosus</i>)	X	X	X	X
Atlantic sea herring (<i>Clupea harengus</i>)			X	X
bluefish (<i>Pomatomus saltatrix</i>)			X	X
Atlantic butterfish (<i>Peprilus triacanthus</i>)			X	X
Atlantic mackerel (<i>Scomber scombrus</i>)	X	X	X	X
summer flounder (<i>Paralichthys dentatus</i>)		X	X	X
scup (<i>Stenotomus chrysops</i>)	n/a	n/a	X	X
black sea bass (<i>Centropristus striata</i>)	n/a			X
king mackerel (<i>Scomberomorus cavalla</i>)	X	X	X	X
Spanish mackerel (<i>Scomberomorus maculatus</i>)	X	X	X	X
cobia (<i>Rachycentron canadum</i>)	X	X	X	X
sand tiger shark (<i>Odontaspis taurus</i>)		X		
Blue shark (<i>Prionace glauca</i>)		X		X
dusky shark (<i>Charcharinus plumbeus</i>)			X	
bluefin tuna (<i>Thunnus thynnus</i>)				X